

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

DEBRA LYNN MERCER-ERWIN (1)  
KAYLEIGH MOFFETT (2)  
CARLOS ROCHA VILLARRUTIA (5)

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CASE NUMBER 4:20CR212

## **ORDER GRANTING UNOPPOSED MOTION FOR CONTINUANCE**

The Unopposed Motion for Continuance filed by Defendant (Dkt. #270) is granted. The Court, having considered the factors set forth in 18 U.S.C. § 3161, finds as follows:

1. Defendant's request is made knowingly, intelligently, and voluntarily.
2. The Government has no objection to a continuance.
3. The ends of justice served by granting the Defendant's request outweigh the best interest of the public and the Defendant in a speedy trial.
4. The continuance is required to assure the necessary time for counsel to prepare effectively for trial, taking into account the exercise of due diligence.
5. The period of delay due to the motion for continuance is the period from the date of the motion through the date of the new trial setting, and this is excludable time under the Speedy Trial Act.

Based on this order, the trial and pretrial motion deadlines of Carlos Rocha Villaurrutia is continued as well. See 18 U.S.C. § 3161(h)(6) (excluding “[a] reasonable period of delay when the defendant is joined for trial with a codefendant as to whom the time for trial has not run and no motion for severance has been granted”).

Defendant's motion is granted, and this case is RESET for Pretrial Conference on July 18, 2022, at 9:00 a.m. with Jury Selection and Trial to begin immediately thereafter on July 18, 2022 at 10:00 a.m. as to all Defendants before the Court.

**SIGNED this 14th day of February, 2022.**

  
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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE